

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FUNIMATION ENTERTAINMENT,	§	
<i>Plaintiff</i>	§	
v.	§	
A.D. VISION, INC., JOHN ROBERT LEDFORD II, AESIR HOLDINGS L.L.C., SXION 23 L.L.C., SERAPHIM STUDIOS, L.L.C., VALKYRIE MEDIA PARTNERS, L.L.C., SENTAI FILMWORKS, L.L.C., SENTAI HOLDINGS, L.L.C., and UNIO MYSTICA HOLDINGS, L.L.C., f/k/a UNIOMYSTICA, L.L.C. d/b/a SWITCHBLADE PICTURES, <i>Defendants.</i>	§	CIVIL ACTION NO. 4:12-cv-1736
A.D. VISION, Inc.	§	
<i>Third-party Plaintiff,</i>	§	
v.	§	
FUNIMATION PRODUCTIONS, LTD., ANIMEONLINE, LTD., FUNIMATION GP, LLC, FUNIMATION LP, LLC, FUNIMATION HOLDINGS, LLC, ANIME HOLDINGS, LLC, and GEN FUKUNAGA, <i>Third-party Defendants.</i>	§	
	§	

ORDER FOR REMAND

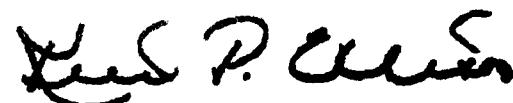
On May 20, 2013, the Court dismissed Defendants' federal claims, and granted AD Vision, Inc. leave to amend its Counter Complaint within 14 days. (Doc. No. 49.) Defendants have indicated to the Court that they do not wish to amend their Complaint. Pursuant to 28 U.S.C. § 1367(c), supplemental jurisdiction is discretionary in certain circumstances, including cases in which the Court dismisses or stays the claims

which were the basis for federal jurisdiction. In such instances, the court has authority under § 1367(c) to choose whether to exercise supplemental jurisdiction, and has inherent authority to remand the remaining claims to state court. *ESAB Group, Inc. v. Zurich Ins. PLC*, 685 F.3d 376, 393-95 (4th Cir. 2012), *Gray v. Sage Telecom, Inc.*, 410 F. Supp. 2d 507, 512-13 (N.D. Tex. 2006) (supplemental jurisdiction over state law claims is a doctrine of discretion, not of plaintiff's right). In the Court's May 20, 2013 Memorandum & Order, the Court indicated that it would not maintain supplemental jurisdiction over the case if the federal claims were dismissed.

Therefore, the case is remanded to the 151st Judicial District Court, Harris County, for further proceedings.

IT IS SO ORDERED.

SIGNED at Houston, Texas on this 12th day of June, 2013.



**KEITH P. ELLISON
US DISTRICT COURT JUDGE**